

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

ANJA HINDES

Plaintiff,

vs.

**Civil Action 2:13-cv-354
Judge Frost
Magistrate Judge King**

MONTGOMERY LYNCH & ASSOCIATES,
INC.,

Defendant.

REPORT AND RECOMMENDATION

This case was filed on April 15, 2013. On September 11, 2013, the Court granted plaintiff's second requested extension of time to effect service process. *Order*, Doc. No. 13. Plaintiff was expressly advised that, if service of process were not affirmatively demonstrated by November 16, 2013, the case would be dismissed. *Id.*

The record does not reflect either service of process or a waiver of service.

It is therefore **RECOMMENDED** that the action be dismissed for failure to timely effect service of process. See Fed. R. Civ. P. 4(m).

If any party seeks review by the District Judge of this *Report and Recommendation*, that party may, within fourteen (14) days, file and serve on all parties objections to the *Report and Recommendation*, specifically designating this *Report and Recommendation*, and the part

thereof in question, as well as the basis for objection thereto. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Response to objections must be filed within fourteen (14) days after being served with a copy thereof. Fed. R. Civ. P. 72(b).

The parties are specifically advised that failure to object to the *Report and Recommendation* will result in a waiver of the right to *de novo* review by the District Judge and of the right to appeal the decision of the District Court adopting the *Report and Recommendation*. See *Thomas v. Arn*, 474 U.S. 140 (1985); *Smith v. Detroit Fed'n of Teachers, Local 231 etc.*, 829 F.2d 1370 (6th Cir. 1987); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

November 19, 2013

s/Norah McCann King
Norah McCann King
United States Magistrate Judge